



Fair Work  
Australia

27 December 2012

Mr Peter Tighe  
Divisional Secretary  
Electrical, Energy and Services Division  
Communications, Electrical, Electronic, Energy, Information,  
Postal, Plumbing and Allied Services Union of Australia  
PO BOX 380  
ROSEBERY NSW 2018

Dear Mr Tighe

**Re: Arrangements for the conduct of an Election  
(E2012/425)**

A copy of the decision in relation to the above matter is enclosed.

Fair Work Australia is making arrangements, under subsections 189(3) of the *Fair Work (Registered Organisations) Act 2009*, with the Electoral Commissioner for the conduct of the subject election by a member of staff of the Australian Electoral Commission, who will contact you in the near future about the election.

Yours sincerely

David Vale  
Fair Work Australia



FAIR WORK  
AUSTRALIA

## DECISION

*Fair Work (Registered Organisations) Act 2009*  
s.189 – Arrangement for conduct of an election

**Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia**  
(E2012/425)

AILS A CARRUTHERS

MELBOURNE, 27 DECEMBER 2012

*Arrangement for conduct of election.*

[1] On 14 December 2012 the Electrical, Energy and Services Division of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (the CEPU) lodged with Fair Work Australia prescribed information in relation to an election for the following offices:

Divisional President	(1)
Divisional Vice President	(2)

Divisional Executive Members: (numbers to be determined in accordance with the rules from the following Divisional Branches)

- New South Wales
- Queensland
- South Australia
- Tasmania
- Victoria
- Western Australia

[2] On 29 June 2012 I made arrangements for the conduct of an election by the Australian Electoral Commission in matter E2012/299 ([2012] FWAD 5149) for the same offices as listed above. I have, however, been advised by the Australian Electoral Commission that the election in E2012/299 did not proceed following an Order issued by his Honour Justice Jagot of the Federal Court of Australia on 29 June 2012<sup>1</sup> that the CEPU be restrained from convening and/or holding a meeting of the Divisional Council of the Electrical, Energy and Services Division.<sup>2</sup> The injunction was subsequently discharged by his Honour Justice Cowdroy on 26 November 2012.

[3] I am satisfied that an election for the abovenamed offices is required to be held under the rules of the organisation and, under subsection 189(3) of the *Fair Work (Registered Organisations)*

<sup>1</sup> *Butler v Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia* [2012] FCA 790 (NSD 885/2012).

<sup>2</sup> There have also been further proceedings in the Federal Court of Australia between branches of the Electrical, Energy and Services Division of the CEPU - see *Gray v Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia* [2012] FCA 380; *Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia v Gray* [2012] FCAFC 158; *Gray, in the matter of an application for an inquiry relating to an election for an office in the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing, and Allied Services Union of Australia, Electrical, Energy and Services Division (No 2)* [2012] FCA 1387.

Act 2009, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



DELEGATE OF THE GENERAL MANAGER  
FAIR WORK AUSTRALIA

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FAIR WORK  
AUSTRALIA

27 December 2012

Electoral Commissioner Through  
Australian Electoral Officer (industrial.elections@acc.gov.au)

Under subsection 189 of the Fair Work (Registered Organisations) Act 2009, please arrange for the conduct of the following election by the Australian Electoral Commission:

**E No 2012/425**

**RE: COMMUNICATIONS, ELECTRICAL, ELECTRONIC, ENERGY, INFORMATION,  
POSTAL, PLUMBING AND ALLIED SERVICES UNION OF AUSTRALIA; Electrical  
Division**

Positions:

See Decision

Relevant Information: Scheduled annual election.

Contact: Peter Tighe, Divisional Secretary, Electrical Energy & Services Division,  
Communications, Electrical, Electronic, Energy, Information, Postal,  
Plumbing and Allied Services Union of Australia.

Phone: (02) 9663 5599.

A copy of the decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at [industrial.elections@fwa.gov.au](mailto:industrial.elections@fwa.gov.au)

David Vale  
Fair Work Australia

## MAC, Kiet

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**From:** MAC, Kiet  
**Sent:** Friday, 14 December 2012 3:43 PM  
**To:** 'industrial.elections@aec.gov.au'  
**Subject:** E2012/425  
**Attachments:** 128V CEPU Electrical 128V-ELE\_R2012\_5.pdf; CEPU E2012\_425\_PI lodged 14122012.pdf

Dear AEC

Please find the prescribed information and a copy of the current rulebook for an upcoming election of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia – Electrical, Energy and Services Division (E2012/425).

Regards

Kiet Mac  
Regulatory Compliance Branch  
Fair Work Australia  
Tel: 02 8374 6511  
Fax: 02 9380 6990  
8/80 William Street, East Sydney, NSW 2011  
[www.fwa.gov.au](http://www.fwa.gov.au)

E2012/425.

# ETU

Electrical Trades Union

14 December 2012

Mr D Vale  
Manager, Registered Organisations NSW  
Fair Work Australia  
Level 8, Terrace Towers  
80 William Street  
EAST SYDNEY NSW 2011



Dear David

**RE: Election of Executive Officers**

Pursuant to Sections 182(1) and 189 of The Fair Work (Registered Organisations) Act 2009, the Communications Electrical and Plumbing Union (Electrical Division) requests that Fair Work Australia arrange an election for Executive Officers of our Electrical Division. The election relates to the positions of Divisional President, Divisional Vice-Presidents and other Divisional Branch representatives on the Divisional Executive (pursuant to Section B Rule 15 of the CEPU Rules, specifically Rules 15.5, 15.14.4).

The Electrical Divisional Conference will be held on the 4<sup>th</sup> – 6<sup>th</sup> February 2013 at the ETU Queensland Branch, Meeting room, 41 Peel Street, South Brisbane QLD 4101.

In accordance with our Rules, the election must be held immediately after delegates are credentialed to participate in the Conference. Attached is the prescribed information pursuant to Section 189(1) and Regulation 138. If you have any further queries, please contact the undersigned or Emily Cavey at our National Office.

Yours faithfully

A handwritten signature in black ink, appearing to be "Peter Tighe".

Peter Tighe  
Divisional Secretary

The Electrical Division  
of the Communications,  
Electrical, Electronic, Energy,  
Information, Postal, Plumbing  
and Allied Services Union of  
Australia (CEPU)

**Peter Tighe**  
Divisional Secretary

**Allen Hicks**  
Assistant Secretary

Suite 701, Level 7  
5-13 Rosebery Avenue  
PO Box 380  
Rosebery NSW 2018

Ph: (02) 9663 3699  
Fax: (02) 9663 5599

***The Fair Work Australia (Registered Organisations) Act 2009***  
prescribed information pursuant to Section 189(1)

**CEPU Electrical Division 2012 Annual Elections**

a. **Name of each office for which an election is required:**

1. President
2. Vice Presidents
3. Divisional Executive Members

b. **Reason for the election**

The terms of office have expired.

c. **Offices with the same name and the number of such offices**

1. President - (1)
2. Vice President - (2)
3. Divisional Executive Members - number to be determined in accordance with the rules

d. **Electorate**

The positions are to be elected by the college of the Divisional Council.

e. **Date of the commencement and expiration of the nomination period**

The nominations will open and close on the 4<sup>th</sup> February 2013.

f. **The day on which the roll of voters is to be closed**

4<sup>th</sup> February 2013

g. **Voting System**

Secret ballot by a vote of the college of Divisional Councillors.

***The Fair Work Australia (Registered Organisations) Act 2009***

prescribed information pursuant to Regulation 138 of (RAO) Regulations

I, Peter Anthony Tighe, state that I am the officer authorised to make a statement pursuant to S. 189(1) of Schedule 1B of *The Fair Work (Registered Organisations) Act 2009* with respect to the Annual elections of the President, Vice-Presidents and Divisional Executive of the Electrical Division of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (CEPU).

The information required by reg. 138 is appended as Attachment '1'.

Signed:

A handwritten signature in black ink, appearing to read 'P. Tighe', written over a faint circular stamp.

Peter Tighe  
Divisional Secretary